

REMARKS

The Office Action dated April 30, 2004 has been reviewed, and the application is amended herein in an effort to place same in condition for allowance. Reconsideration of the application is respectfully requested.

During the preparation of this Response, it was noted that U.S. Patent No. 5 516 298 (Smith) cited in an Information Disclosure Statement filed on November 22, 2000 was not initialed by the Examiner on Form PTO-1449 attached to the above Office Action. It is requested that the Examiner initial this reference to acknowledge consideration thereof, and to return an initialed copy of Form PTO-1449 with the next written communication. A copy of Form PTO-1449 is enclosed for the Examiner's convenience.

Applicants acknowledge, with appreciation, the allowance of Claims 1-4, 6-8, 21-38, 51-56 and 61-63, the indication of allowable subject matter in Claims 40-43, 45, 49, 50 and 57-60. Claims 41, 49, 50 and 57-60 stand rejected under 35 USC 112, second paragraph. Claims 39, 44, 46, 47 and 48 stand rejected as unpatentable over Funk (U.S. Patent No. 6 202 567). In summary, independent Claims 39 and 46 are amended herein and are believed allowable over Funk '567 for the reasons presented below. Claims 41, 49 and 57 are amended herein in a manner believed to overcome the rejection under 35 USC 112, second paragraph. Further, Claims 64-67 are added herein. Independent Claim 64 includes the subject matter of Claim 39 and allowable Claim 40, and independent Claim 66 contains the subject matter of Claim 46 and allowable Claim 49. These newly added claims, and the new claims which depend therefrom are therefore believed allowable as presented. Further, these new claims read upon the previously elected species.

Claims 39, 44, 46, 47 and 48 stand rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over the claims of U.S. Patent No. 6 448 498. Submitted herewith is a terminal disclaimer signed

by the undersigned, which is believed to overcome this rejection.

Turning to the rejection of Claims 39, 44 and 46-48 in view of Funk '567, Claim 39 is amended herein to recite a table having a top defining at least one outer peripheral edge, an enclosure mounted on the support member adjacent the outer peripheral edge, the enclosure defining a hollow interior which opens through an access opening positioned adjacent the outer peripheral edge to permit cabling to extend over the outer peripheral edge and into the interior. In contrast, in Funk, cabling 160 positioned on the table top 12 passes through the grommet 26 disposed within an opening defined in the table top 12 and into the housing 18. The opening in the table top 12 in which the grommet 26 is disposed is not an outer peripheral edge of the table, and instead is disposed inwardly of the outer peripheral edges of the table (see Figures 1 and 3). In Figure 3 of Funk, cabling 160 does not extend over edge 70 and into the housing 18. In fact, vertical privacy panel 20 and bracket 74 will prevent running the cabling 160 in this manner. Claim 39 is therefore believed allowable over Funk, as well as rejected Claim 44 which depends therefrom.

Independent Claim 46 includes a worksurface defining a generally flat upper surface and an outer peripheral edge, a chamber defined between one side wall of the console and the cover, the chamber opening between respective adjacent edge portions of the cover and the one side wall and communicating with an open area adjacent the outer peripheral edge to permit cabling to project over the outer peripheral edge and into the chamber for connection to the receptacle or for storage. In Funk, the chamber defined between closure plate 44 and cover 46 does not communicate with an open area adjacent any peripheral edge of the work surface, including edge 70. Further, cabling 160 does not project over edge 70 (or any other peripheral edge) and into the chamber. Instead, the chamber communicates with passage 32 defined by grommet 26

which is located inwardly of the peripheral edges, and the cabling 160 projects into the passage 32 and downwardly into the chamber defined in housing 18. Claim 46 is therefore believed allowable over Funk, as well as Claims 47 and 48 which depend therefrom.

An Information Disclosure Statement is submitted herewith in order to submit a reference cited in the Written Opinion issued in the corresponding PCT application. U.S. Patent No. 5 653 064 is the only reference cited in the Written Opinion which has not already been made of record in the instant application. This reference is not believed to be more relevant than the applied reference, and therefore will not be addressed herein.

In view of the above, the instant application is believed to be in condition for allowance, and action toward that end is respectfully requested. The Examiner is encouraged to contact the undersigned to resolve any further issues.

Respectfully submitted,


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Terminal Disclaimer, with Transmittal therefor
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